

REFERENCE TITLE: technical correction; remediated water

State of Arizona
House of Representatives
Forty-ninth Legislature
First Regular Session
2009

HB 2428

Introduced by
Representative Barnes

AN ACT

AMENDING SECTION 49-283.01, ARIZONA REVISED STATUTES; RELATING TO WATER QUALITY REMEDIAL ACTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 49-283.01, Arizona Revised Statutes, is amended to
3 read:

4 49-283.01. Remediated water; liability; definitions

5 A. A provider or user of remediated water is not liable for damages
6 caused or contributed to by the use or distribution of the remediated water
7 except on a showing of wilful, malicious or grossly negligent conduct that
8 was the direct cause of the damages.

9 B. For **THE** purposes of this section:

10 1. "Damages" means compensation for death or injury to a person or
11 claims for medical monitoring or injury that a person may suffer or property
12 damage.

13 2. "Provider" means an owner or operator of a constructed water
14 conveyance system for industrial, municipal or irrigation purposes.

15 3. "Remediated water" means water that is distributed, transported or
16 used in connection with a CERCLA remediation or a remediation performed
17 pursuant to this title including water that meets applicable state or federal
18 standards.

19 4. "User" means an entity that accepts remediated water and uses that
20 water for industrial, municipal, irrigation or agricultural purposes.